



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/252,925	02/19/1999	SHINJI OHNISHI	35.C13340	5040
5514	7590	03/30/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			NGUYEN, HANH N	
		ART UNIT	PAPER NUMBER	
		2662	20	
DATE MAILED: 03/30/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/252,925	OHNISHI ET AL.	
	Examiner	Art Unit	
	Hanh Nguyen	2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed, after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on Amendment filed on 03/17/04.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 20,26,36,39/41,44 and 46-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed *Cancelled*
- 6) Claim(s) 20,26,36,39/41,44 and 46-48 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20, 26, 36, 39, 41, 44, 46, 47 and 48 are rejected under 35 USC 103(a) as being unpatentable over **Hasegawa** (US Pat. No. 5,812,772) in view of **Malik** (US Pat. No. 6,462,832 B1), and further in view of **Kawasaki** (US pat. No. 6,310,699 B1).

In claims 20, 26 and 46, **Hasegawa** discloses, in Fig.1, a data transmitter 100 (a source node) and a plurality of communication terminals 200 (one or more destination nodes). See col.2, lines 34-40. Each communication terminal 200 is described in Fig.2 as having an image buffer 261 (a receiving buffer) and a terminal controller 220 (a controller). See col.2, lines 44-51. The data transmitter 100 transmits a plurality of segmented data 500 (a plurality of segmented data) to the communication terminals 200 (transmitting segmented data to one or more destination nodes) which stores the received segment data in the image buffer 261 (for storing the segment data in the receiving buffer). (See col.3, lines 20-35 & lines 1-5). Each segment data 500 has at least one group of data 512 and a header 511 (each segment data having a header field) (col.3, lines 36-42).

Hasegawa does not disclose the source node dividing data to be transmitted to destination nodes into a plurality of segment data; each segment data transferred to a destination

node having information identifying the logical connection; and the controller setting a logical connection between source node and destination nodes.

Malik discloses, in Fig.1, that a source terminal 10 (source node) retrieves data information from an external data sources 5, divides the data into a plurality of segments and transmits to terminals 50-53 (one or more destinations) via server 30 and respective connection line 32-35 (source node dividing data to be transmitted to destination nodes into a plurality of segment data). (See Fig.5, steps S121, S122 and S128 & col.8, lines 1-25).

Kawasaki discloses, in Fig.1, a facsimile unit F (a source node) transmitting a document (transmitting data) to a plurality of receivers (desitination nodes) via lines L1-L3 (one or more connections). The facsimile unit sets line information (setting logical connection) for each of lines L1-L3 by securing available lines (setting a logical connection between source node and destination nodes). See Abstract & col.5, lines 27-40 & col.6, lies 27-34.

Since **Hasegawa** transmits data in segmented form to communication terminals 200 (destination nodes) and the transmitted data has at least one group of data 512 and a header field 511 (each segment data having a header field) (col.3, lines 36-42), therefore; it would have been obvious to one ordinary skill in the art to insert line information setup by **Kawasaki** 's facsimile unit into the segment data of **Hasegawa** so that each segment data transmitted to a destination node is distinguished by a respective line identification such as line ID, line number ..etc..

In addition, it would have been obvious to one ordinary skill in the art to apply the feature of **Malik** which comprises dividing data into segments for transmitting to destinations into **Hasegawa** in order to simultaneously transmit the plurality of segment data to destination nodes

via respective connections. The motivation is to distinguish segment transmissions to destination via different connections.

The combination of **Malik** and **Kawasaki with Hasegawa** is believed to acquire the above claimed invention.

In claims 36, 41 and 47, **Hasegawa** discloses, in Fig.1, that the communication terminals 200 (one or more destination nodes) respectively check the amount of data remaining in the image buffer 261 (information about a size of receiving buffer) and sends to transmitter 100 (source node) a request for transmitting a predetermined amount of data via control line 402, wherein the predetermined data is capacity of the image buffer 261 for holding data which was received in response to the request. See col.4, lines 42-52.

In claims 39, 44 and 48, **Hasegawa** does not disclose the source node and destination nodes conform with IEEE1394-1995 standard. **Malik** discloses, in Fig.1, source terminal 10 is coupled to IEEE1394 bus 6 to receive data from an external data source 5 such as printer, scanner (source node conforms with IEEE1394 standard). See col.5, lines 10-18. At the destination side, terminals 50-53 (destination nodes) is established from IEEE Ethernet network 40. See col.4, lines 47-65. Since **Hasegawa** discloses the data transmitter 100 transmitting multimedia data (image and sound data) to communication terminal 200 for displaying; therefore, it would have been obvious to one ordinary skill in the art to apply the IEEE 1394 bus interface of **Malik** for conforming the data transmitter 100 and communication terminals 200 of **Hasegawa** in IEEE1394 standard. The motivation is to asynchronously transmit high speed digital data without requiring real time capability.

Response to Arguments

Applicant's arguments with respect to claims 20, 26, 36, 39, 41, 44 and 46-48 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yeung et al. (US Pat. No. 6,438,613 B1) discloses Method and Apparatus for Allowing packet data to be Separated over Multiple Bus Targets.

Art Unit: 2662

Ludtke et al.(US Pat. No. 6,141,702) discloses Model and Command Set for an AV/C-based DISC media Player Recorder.

Takeoka et al. (US Pat. No. 6,665,082 B1) discloses Printer System and Method of Controlling Operation of the Same.

Glaser et al.(US Pat. No. 6,151,634) discloses Audio-on-Demand Communication System.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Nguyen whose telephone number is 703 306-5445. The examiner can normally be reached on Monday-Friday from 8:30AM to 5:30PM. The examiner can also be reached on alternate

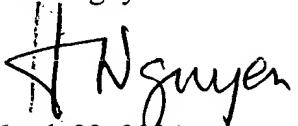
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on 703 305-4744. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 09/252,925
Art Unit: 2662

Page 7

Hanh Nguyen

A handwritten signature in black ink, appearing to read "Hanh Nguyen". The signature is fluid and cursive, with "Hanh" on top and "Nguyen" below it.

March 22, 2004